REMARKS

Claims 1, 4-7, 9-14, 16-18, 23, 24, 26-32, 37, 38 and 49-51 are all the claims pending in the application. Applicants amend claims 1, 7, 9, 10, 12, 18, 23, 24, 26, 27, 29, 32 and 38. The features of "the generating device generates a sign that indicates no more copies are allowed as the copy control information, the multiplexing device included in the information output device multiplexes the recording information" is at least supported by page 32, lines 6-22, Step 3(S3) in FIG. 2 of the specification. The features of the "the output device outputs the multiplexed information to the information recording apparatus" is at least supported by page 32, line 23-page 34 line 8, Step 5(S5) in FIG. 2 of the specification.

Claim rejection under 35 U.S.C. § 112, second paragraph

Claims 1, 4-7, 9-14, 16-18, 23-24, 26-29, 30-32, 37-38, and 49-50 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

In view of the claim amendments submitted with this Amendment that are clearly supported by the Specification, the Applicant respectfully requests the Examiner to withdraw the rejection.

Claim rejections under 35 U.S.C. § 102(b)

Claim 51 is rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Sako et al., (U.S. Patent No. 7,231,327; hereinafter "Sako"). Applicant traverses the rejection at least for the following reasons.

Claim 51 recites, *inter alia*, "a determining device for determining whether an outputting speed is higher than a reproducing speed of the recording information from the recording medium and a generating device for generating first copy control information indicating a number of times which the recording information can be recorded after being recorded into the recording medium if it is determined that the outputting speed is higher than the reproducing speed, and for generating second copy control information indicating a number of times which the recording information can be recorded before being recorded into the recording medium if it is determined that the outputting speed is not higher than the reproducing speed." The Examiner asserts that column 9, lines 1-29 discloses these features of claim 51 recited above. Applicant respectfully disagrees for at least the following reasons.

In column 9, lines 1-29, Sako does not disclose anything about generating a first and second copy control indicating a number of times information based on if it is determined that the outputting speed is higher than the reproducing speed and based on if it is determined that the outputting speed is not higher than the reproducing speed, respectively. Specifically, Sako discloses several 3-bit codes "000", "001", "010", etc. The 3-bit codes represent a particular type of copying at either a standard reproducing speed or a higher reproducing speed. For example, the code having the value "010" represents either the standar reproducing speed or a higher reproducing speed (column 9, lines 20-29).

However, Sako does not disclose that first copy information indicating **a number of times** which the recording information can be recorded after being recorded into the recording medium **if it is determined that the outputting speed is higher** than the reproducing speed and

a second copy information indicating **a number of times** which the recording information can be recorded before being recorded into the recording medium **if it is determined that the outputting speed is not higher** than the reproducing speed. That is, Sako does not disclose a first copy information indicating the number of times if the outputting speed is higher and a second copy information indicating the number of times if the outputting a speed that is not higher.

In view of the above, Applicant submits that Sako does not disclose all the feature of the claim 51, and therefore claim 51 is patentable over the cited reference.

Claims rejections under 35 U.S.C. § 103(a)

Claims 1, 4, 6-7, 9-10, 16, 18, 23,-24, 26-27, 32, and 37-38 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Inoue et al., (US Patent No. 6,539,468; hereinafter "Inoue"), and further in view of Morito et al., (US Patent No. 6,310,956; hereinafter "Morito"). Applicant traverses the rejections for at least the following reasons.

Independent claim 1

Claim 1 recites, *inter alia*, "the generating device generates a sign that indicates no more copies are allowed as the copy control information, the multiplexing device included in the information output device multiplexes the recording information and the copy control information, and the output device outputs the multiplexed information to said information recording apparatus." Applicant submits that Inoue and Morito, alone or in combination, do not disclose the unique features of claim 1 recited above.

Inoue discloses that a copying control information detection section of a RAM writing apparatus detects the copying control information from within the information which has been received from the ROM reading apparatus (column 7, lines 55-59). The copying control information detection section outputs a signal indicating the present/absence of a first and second watermark (WM). If at least one of the first and second watermarks (WM) is present, the control section 204 determines the corresponding condition that is being represented and the copying control information modification section 208 modifies the copying control information so as to prohibit further copying and this modified copying control information is supplied to the writing section (column 8, lines 10-23).

Specifically, Inoue discloses that when a recording apparatus detects copy control information (206 in FIG. 4) the recording apparatus **modifies the copy control information** and records the modified copy control information. That is, Inoue merely discloses that in a recorder (the RAM writing apparatus), the recorder detects copy permission information (205 of FIG. 4 in Inoue and the recorder **modifies** copying control information **by itself** (2008 of FIG. 4. in Inoue.

Since Inoue discloses a writing apparatus modifying the copying control information by itself, it does not disclose the generating a sign that indicates no more copies are allowed as the copy control information, the multiplexing the recording information and the copy control information, and the **outputting the multiplexed information to said information recording apparatus**.

Furthermore, Morito, Manbu Kim, Nissl and Videcrants do not disclose the above mentioned features of the present invention.

In view of the above, Applicant submits that each of the cited references, alone or in combination, do not disclose all the features of claims 1. Therefore, claim 1 is patentable over the cited references.

Independent claims 7, 9, 10, 18, 24, 26, 27, 32 and 38

Applicant submits that claims 7, 9, 10, 18, 24, 26, 27, 32 and 38 recite subject matter analogous to claim 1, and therefore are allowable for at least the similar reasons claim 1 is shown to be allowable.

Dependent claims 4, 6, 23 and 37

Applicant submits that claims 4, 6, 23 and 37 depend from one of the independent claims that have been shown to be allowable, and therefore are also allowable at least by virtue of their dependency and additional limitations thereof.

Dependent claims 5 and 17

Claims 5 and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Inoue and Morito as applied to claims 4 and 16, and further in view of Manabu et al. (US Patent 6,453,304; hereinafter "Manabu"). Applicant traverses the rejections for at least the following reasons.

Applicant submits that since Manabu does not cure the deficiency of Inoue noted above with respect to claim 1 and since claims 5 and 17 depend from one of the independent claims that have been shown to be allowable, claims 5 and 17 are allowable over the cited references at least by virtue of their dependency and additional limitations thereof.

Dependent claims 11 and 28

Claims 11 and 28 are rejections under 35 U.S.C. § 103(a) as being unpatentable over Inoue and Morito as applied to claims 10 and 27, and further in view of Sako. Applicant traverses the rejections for at least the following reasons.

Applicant submits that since Sako does not cure the deficiency of Inoue noted above with respect to claim 1 and since claims 11 and 28 depend from one of the independent claims that have been shown to be allowable, claims 11 and 28 are allowable over the cited references at least by virtue of their dependency and additional limitations thereof.

Dependent claims 12, 14, 29 and 31

Claims 12, 14, 29 and 31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Inoue and Morito as applied to claims 10 and 27, and further in view of Nissl et al., (US Patent No. 6,530,023; hereinafter "Nissl"). Applicant traverses the rejections for at least the following reasons.

Applicant submits that since Nissl does not cure the deficiency of Inoue noted above with respect to claim 1 and since claims 12, 14, 29 and 31 depend from one of the independent claims that have been shown to be allowable, claims 12, 14, 29 and 31 are allowable over the cited references at least by virtue of their dependency and additional limitations thereof.

Dependent claims 13 and 30

Claims 13 and 30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Inoue, Morito and Nissl as applied to claims 12 and 29, and further in view of Sako. Applicant traverses the rejections for at least the following reasons.

Applicant submits that since Nissl and Sako do not cure the deficiency of Inoue noted above with respect to claim 1 and since claims 13 and 30 depend from one of the independent claims that have been shown to be allowable, claims 13 and 30 are allowable over the cited references at least by virtue of their dependency and additional limitations thereof.

Dependent claim 49

Claim 49 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Inoue and Morito as applied to claim 1, and further in view of Videcrantz et al., (US Patent No. 6,275,588; hereinafter "Videcrantz"). Applicant traverses the rejections for at least the following reasons.

Applicant submits that since Videcrantz does not cure the deficiency of Inoue noted above with respect to claim 1 and since claim 49 depends from claim 1 that has been shown to be allowable, claim 49 is allowable over the cited references at least by virtue of their dependency and additional limitations thereof.

Dependent claim 50

Claim 50 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Inoue and Morito as applied to claim 7, and further in view of Manabu and Videcrantz. Applicant traverses the rejections for at least the following reasons.

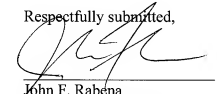
Applicant submits that since Manabu and Videcrantz do not cure the deficiency of Inoue noted above with respect to claim 1 and since claim 50 depends from claim 7 that has been shown to be allowable, claim 50 is allowable over the cited references at least by virtue of their dependency and additional limitations thereof.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Date: June 16, 2008